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FILED
08 FEB 29 PM 3:37
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: CP

DEPUTY

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

'08 CV U387 BEN LSP

11 ROBERT RAYFORD,

) Case No.

12
13 Plaintiff,

) COMPLAINT FOR:

14 vs.

) (1) BREACH OF CONTRACT;
) (2) DISCRIMINATION AND
) HARASSMENT BASED ON DISABILITY
) IN VIOLATION OF THE AMERICANS
) WITH DISABILITIES ACT, 42
) U.S.C. §12101-12213;
) (3) DISCRIMINATION AND
) HARASSMENT BASED ON RACE,
) COLOR, NATIONAL ORIGIN AND/OR
) ANCESTRY IN VIOLATION OF 42
) U.S.C. §2000e ET SEQ.;
) (4) DISCRIMINATION AND
) HARASSMENT BASED ON AGE IN
) VIOLATION OF THE AGE
) DISCRIMINATION IN EMPLOYMENT
) ACT, 29 U.S.C. §621-634;
) (5) VIOLATIONS OF THE FAMILY
MEDICAL LEAVE ACT, 29 U.S.C.
§2601 ET SEQ.; AND
) (6) RETALIATION;

15 EDISON INTERNATIONAL, a
16 corporation, and SOUTHERN
17 CALIFORNIA EDISON COMPANY, a
18 corporation.

19 Defendants.

JURY TRIAL DEMANDED

26 PLAINTIFF ROBERT RAYFORD complains and alleges as follows:

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JURISDICTION

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3 1. This court has jurisdiction under 28 U.S.C. §1331, for
4 claims under Title VII of the Civil Rights Act of 1964, as
5 amended, 42 U.S.C. §2000e, et seq.; the Americans with Disabilities
6 Act, 42 U.S.C. §12101-12213; 29 U.S.C. §621-634; the Age
7 Discrimination in Employment Act, 29 U.S.C. §2601 et seq., and the
8 Family Medical Leave Act, 29 U.S.C. §2601 et seq.

9 2. The court also has supplemental jurisdiction over the
10 California state law contract claim under 28 U.S.C. §1367.

VENUE

11
12 3. Venue is proper in the Southern District of California
13 under 42 U.S.C. §2000e-5(f) and as the judicial district in which
14 the unlawful employment practices or at least some of them
15 occurred and in which relevant employment records, or at least
16 some of them, are maintained and administered.

PARTIES

17
18 4. PLAINTIFF ROBERT RAYFORD ("RAYFORD" or "PLAINTIFF") is,
19 and at all relevant times was, a resident of the State of
20 California, County of San Diego.

21 5. PLAINTIFF is informed and believes and thereby alleges
22 that DEFENDANTS SOUTHERN CALIFORNIA EDISON COMPANY and EDISON
23 INTERNATIONAL are, and at all relevant times were,
24 corporations organized and existing under and by virtue of the
25 laws of a state unknown, doing business in the State of
26 California, County of San Diego.

27 6. PLAINTIFF is informed and believes, and thereby
28 alleges, that each of the DEFENDANTS herein (hereinafter

1 collectively "DEFENDANTS") was at all relevant times the agent,
2 employee or representative of the remaining DEFENDANTS and was
3 acting at least in part within the scope of such relationship.

4 **FACTS COMMON TO ALL CAUSES OF ACTION**

5 7. PLAINTIFF is a 51 year old, African-American male.

6 8. PLAINTIFF first began working at the San Onofre Nuclear
7 Generation Station ("SONGS"), located in San Diego County, over
8 seventeen years ago, as a Security Officer. During PLAINTIFF's
9 years of employment, PLAINTIFF was promoted to Senior Rover, and
10 was responsible for patrolling the highways and byways immediately
11 next to SONGS. From a security task force numbering over 450
12 employees, PLAINTIFF was in the top tenth of SONGS employees in
13 terms of seniority.

14 9. In or about November 2006, PLAINTIFF suffered a work-
15 related injury. Subsequently, PLAINTIFF required medical leave to
16 treat his medical condition from on or about February 7, 2007
17 until on or about March 9, 2007. It was known throughout the
18 SONGS facility that PLAINTIFF suffered a hernia and was therefore
19 incapacitated on that account. Upon PLAINTIFF's return to work,
20 PLAINTIFF was repeatedly teased about his medical condition, since
21 it was viewed as a weakness within the SONGS enforcement
22 community.

23 10. For two years prior to PLAINTIFF's termination,
24 whenever PLAINTIFF entered his shift's briefing session, PLAINTIFF
25 was greeted by his fellow peers, who are mostly former law
26 enforcement and career military, with a "Fuck it!" and a middle
27 finger salute. This salutation is widely regarded as a sign of
28 solidarity, joviality, and a display of lack of fear. PLAINTIFF,

1 in turn, responded in like manner, to the entire group.

2 11. On or about April 6, 2007, PLAINTIFF was confronted by
3 Defendants' employee Leyva ("Leyva") (first name unknown),
4 immediately following the shift briefing session. Leyva, a
5 Hispanic man, alleged that he had received complaints regarding
6 PLAINTIFF's salutation. PLAINTIFF correctly pointed out that
7 Leyva was not his supervisor and needed to address these issues
8 with PLAINTIFF's supervisor SOS Diaz. Leyva, who was fully armed,
9 began to point his finger at PLAINTIFF while raising his voice in
10 an aggressive manner. PLAINTIFF noted Leyva's armed status, and
11 decided to deflate the confrontation by backing away. Leyva
12 snapped his fingers and pointed to the floor in front of PLAINTIFF
13 and demanded that PLAINTIFF stand before him. PLAINTIFF
14 complained to Leyva that, "You are not my slave master and I am
15 not your slave."

16 12. Due to this incident, PLAINTIFF was subjected to a
17 drug-screening test, which resulted in a negative reading, and
18 later, PLAINTIFF was placed on unpaid administrative leave.

19 13. On or about April 11, 2007, PLAINTIFF met with Paul
20 Diaz to discuss the incident. Diaz merely addressed the perceived
21 lack of respect which Leyva allegedly received, but failed to
22 address the racial animosity and lack of civility with which
23 PLAINTIFF was treated. Diaz told PLAINTIFF to refrain from using
24 the typical greeting, yet did not order PLAINTIFF's colleagues to
25 stop from saluting him in this typical manner.

26 14. On or about April 30, 2007, PLAINTIFF returned to work
27 at the SONGS facility. As PLAINTIFF entered the briefing session,
28 PLAINTIFF's colleagues greeted him with their typical sign of

1 solidarity and respect. In a brief moment of joviality, PLAINTIFF
2 instinctively, quickly returned the salute. Immediately after,
3 PLAINTIFF notified the entire group that they were no longer able
4 to salute him, or each other, in such a manner.

5 15. Immediately following this incident, PLAINTIFF was
6 placed on suspension, allegedly on account of disrespecting
7 Lyeva's statements to refrain from saluting PLAINTIFF's fellow
8 peers.

9 16. On or about May 7, 2007, PLAINTIFF met with Paul Diaz,
10 SOS Ruben Diaz and Shift Commander Andy Picard and was terminated.

11 **FIRST CAUSE OF ACTION**

12 **(Breach of Contract)**

13
14 17. PLAINTIFF hereby realleges and incorporates by
15 reference herein each and every preceding paragraph of this
16 complaint.

17 18. PLAINTIFF worked for Defendants for approximately
18 seventeen years.

19 19. During the entire course of PLAINTIFF'S employment
20 with Defendants, there existed an express and/or implied in fact
21 employment contract between PLAINTIFF and Defendants which
22 included, but was not limited to, the following terms and
23 conditions:

24 a. PLAINTIFF would be able to continue his employment
25 with Defendants indefinitely so long as PLAINTIFF carried out his
26 duties in a proper and competent manner;

27 b. PLAINTIFF would not be disciplined, discharged or
28 demoted for other than good, just and sufficient cause with notice

1 thereof;

2 c. Defendants would allow PLAINTIFF a fair and ample
3 opportunity to defend himself and improve himself should he be
4 considered for discipline, discharge or demotion;

5 d. Defendants would not discriminate against or
6 harass PLAINTIFF based on his age or race, color, national origin,
7 and/or ancestry.

8 20. This total employment contract was evidenced by
9 various written documents, oral representations to PLAINTIFF by
10 Defendants' agents and employees, and the parties' entire course
11 of conduct including the following:

12 a. There was an established policy with Defendants
13 known to PLAINTIFF and relied upon by PLAINTIFF, that an employee
14 such as PLAINTIFF, who had performed services as a good and
15 faithful employee, would have a secure position and tenure with
16 Defendants; that an employee such as PLAINTIFF would be permitted
17 to continue in his position unless demoted or discharged for good,
18 just and sufficient cause; that an employee's performance and past
19 employment history would be considered in any disciplinary or
20 other termination decision; that an employee such as PLAINTIFF
21 would not be disciplined, including terminated, without good, just
22 and sufficient cause, and would be given a fair and just
23 opportunity to respond to allegations made against him and improve
24 any alleged deficiencies in performance.

25 b. During his employment, PLAINTIFF was repeatedly
26 told by his superiors, orally and in writing, that PLAINTIFF was
27 doing a satisfactory job, and he received satisfactory performance
28 reviews, commendations, raises and promotions, and other favorable

1 actions. As a result of the above representations, PLAINTIFF came
2 reasonably to expect and to rely on the promise of job security.
3 Such statements and acts by Defendants communicated to PLAINTIFF
4 the idea that PLAINTIFF had performed satisfactorily and that his
5 job was secure. PLAINTIFF, in good faith, relied upon the
6 representations and assurances and believed them to be true.

7 21. PLAINTIFF'S reliance on and belief in and acceptance
8 in good faith, of all of the assurances, promises and
9 representations as listed in the preceding paragraphs above and
10 elsewhere, led PLAINTIFF to reasonably believe that his employment
11 was secure and that thereby there existed a contract of continuous
12 employment in his current position with Defendant. As independent
13 consideration for this contract of continuing employment, and as
14 evidence of PLAINTIFF'S reliance thereon, in addition to
15 performing his regular duties as an employee of Defendant,
16 PLAINTIFF refrained from seeking any other employment.

17 22. PLAINTIFF'S very lengthy period of service also led him
18 to believe reasonably that PLAINTIFF could only be terminated for
19 good, just and sufficient cause.

20 23. PLAINTIFF undertook and continued employment and
21 duly performed all the conditions of the contract to be performed
22 by him. PLAINTIFF has at all times been ready, willing and able
23 to perform and has offered to perform all the conditions of this
24 contract to be performed by him.

25 24. Despite the representations made to PLAINTIFF and
26 the reliance PLAINTIFF placed on them, Defendants, and each of
27 them, failed to carry out their responsibilities under the terms
28 of the employment contract in the following ways:

1 a. By terminating PLAINTIFF without regard to or in
2 compliance with the requirements of the aforesaid agreement and
3 without good, just and sufficient cause; and

4 b. By unlawfully discriminating against PLAINTIFF.

5 25. As a proximate result of Defendants' breach of
6 contract against PLAINTIFF, PLAINTIFF has suffered and continues
7 to suffer substantial losses in earnings, bonuses, deferred
8 compensation, and other employment benefits, all to his damage in
9 an amount according to proof.

10 **SECOND CAUSE OF ACTION**

11 **(Discrimination and Harassment Based on Disability in Violation of**
12 **the Americans with Disabilities Act, 42 U.S.C. §12101-12213)**

13 26. PLAINTIFF hereby realleges and incorporates by
14 reference herein each and every preceding paragraph of this
15 complaint.

16 27. PLAINTIFF is, and at all times material hereto has
17 been, an employee covered the Americans with Disabilities Act
18 ("ADA"), 42 U.S.C. §12101-12213, prohibiting discrimination in
19 employment on the basis of disability.

20 28. DEFENDANTS are, and at all times material hereto have
21 been, employers within the meaning of the ADA, and, as such,
22 barred from discrimination and harassment in employment on the
23 basis of disabilities as set forth in the ADA.

24 29. PLAINTIFF has medical conditions which are disabilities
25 within the meaning of the ADA. Furthermore, DEFENDANTS have at
26 all times relevant hereto regarded PLAINTIFF as having
27 disabilities within the meaning of the ADA, he has a record of
28 having such disabilities within the meaning of the ADA and/or he

1 has a condition which could lead to a disability within the
2 meaning of the ADA.

3 30. DEFENDANTS have discriminated against and harassed
4 PLAINTIFF because of his disabilities in violation of the ADA by
5 engaging in a course of conduct which included but is not limited
6 to the conduct set forth above.

7 31. PLAINTIFF filed timely charges of disability
8 discrimination and harassment with the U.S. Equal Employment
9 Opportunity Commission("EEOC"). The EEOC has issued right-to-sue
10 letters to him on these charges, permitting PLAINTIFF to bring
11 this action. Therefore, PLAINTIFF has exhausted all of his
12 administrative remedies.

13 32. As a proximate result of DEFENDANTS' discrimination and
14 harassment against PLAINTIFF, PLAINTIFF has suffered and continues
15 suffered losses in earnings, bonuses, deferred compensation and
16 other employment benefits, and suffered, and continues to suffer
17 embarrassment, humiliation and mental anguish all to his damage in
18 an amount according to proof.

19 33. DEFENDANTS committed the acts alleged herein
20 maliciously, fraudulently, and oppressively, with the wrongful
21 intention of injuring PLAINTIFF, from an improper and evil motive
22 amounting to malice, and in conscious disregard of PLAINTIFF's
23 rights. PLAINTIFF is thus entitled to recover punitive damages
24 from all DEFENDANTS in an amount according to proof.

25 34. As a result of DEFENDANTS' discrimination as alleged
26 herein, PLAINTIFF is entitled to his attorneys' fees and costs of
27 suit as provided by law.

28 ///

1 WHEREFORE, PLAINTIFF requests relief as hereinafter
2 provided.

3
4 **THIRD CAUSE OF ACTION**

5 **(Discrimination and Harassment Based on Race, Color, National**
6 **Origin, and/or Ancestry in Violation of Title VII of the Civil**
7 **Rights Act of 1964, 42 U.S.C. §2000e et seq.)**

8 35. PLAINTIFF hereby realleges and incorporates by
9 reference herein each and every preceding paragraph of this
10 complaint.

11 36. PLAINTIFF was at all times material hereto an employee
12 covered by Title VII of the Civil Rights Act of 1964, 42 U.S.C.
13 §2000e et seq. ("Title VII") prohibiting discrimination and
14 harassment in employment on the basis of race, color, national
15 origin and/or ancestry.

16 37. DEFENDANTS are, and at all times material hereto have
17 been, employers or persons within the meaning of Title VII and, as
18 such, barred from discrimination and harassment in employment
19 and/or employment decisions on the basis of race, color, national
20 origin and/or ancestry as set forth in Title VII.

21 38. DEFENDANTS discriminated against and harassed PLAINTIFF
22 on the basis of his race, color, national origin and/or ancestry
23 in violation of Title VII by engaging in a continuing course of
24 conduct which included, but is not limited to, at least some of
25 the acts set forth above.

26 39. PLAINTIFF filed timely charges of race, color, national
27 origin and/or ancestry discrimination and harassment with the
28 EEOC. The EEOC has issued right-to-sue letters to him on these

1 charges, permitting PLAINTIFF to bring this action. Therefore,
2 PLAINTIFF has exhausted all of his administrative issues.

3 40. As a proximate result of DEFENDANTS' discrimination and
4 harassment against PLAINTIFF, PLAINTIFF suffered losses in
5 earnings, bonuses, deferred compensation and other employment
6 benefits, and suffered, and continues to suffer, embarrassment,
7 humiliation and mental anguish all to his damage in an amount
8 according to proof.

9 41. DEFENDANTS committed the acts alleged herein
10 maliciously, fraudulently and oppressively, with the wrongful
11 intention of injuring PLAINTIFF, from an improper and evil motive
12 amounting to malice, and in conscious disregard of PLAINTIFF's
13 rights. PLAINTIFF is thus entitled to recover punitive damages
14 from all DEFENDANTS in an amount according to proof.

15 42. As a result of DEFENDANTS' harassment and
16 discriminatory acts as alleged herein, PLAINTIFF is entitled to
17 his attorneys' fees and costs of suit as provided by law.

18 WHEREFORE, PLAINTIFF requests relief as hereinafter
19 provided.

20 **FOURTH CAUSE OF ACTION**

21 **(Discrimination and Harassment Based on Age in Violation of the**
22 **Age Discrimination in Employment Act 29 U.S.C. §621-634;)**

23 43. PLAINTIFF hereby realleges and incorporates by
24 reference herein each and every preceding paragraph of this
25 complaint.

26 44. PLAINTIFF is, and at all relevant time herein was, over
27 forty years of age and thus an employee covered by the Age
28 Discrimination in Employment Act ("ADEA") 29 U.S.C. §621-634,
prohibiting discrimination and harassment in employment on the

1 basis of age.

2 45. DEFENDANTS are, and at all times material hereto were,
3 employers or persons within the meaning of the ADEA and, as such,
4 barred from discriminating and harassing in employment decisions
5 on the basis of age as set forth in the ADEA.

6 46. DEFENDANTS have discriminated against and harassed
7 PLAINTIFF based upon his age in violation of the ADEA by engaging
8 in a course of conduct which has included, but is not limited to,
9 the actions alleged above.

10 47. PLAINTIFF filed timely charges of age discrimination
11 and harassment with the EEOC. The EEOC has issued right-to-sue
12 letters to him on these charges, permitting PLAINTIFF to bring
13 this action. Therefore, PLAINTIFF has exhausted all of his
14 administrative remedies.

15 48. As a proximate result of DEFENDANTS' discrimination
16 against and harassment of PLAINTIFF, PLAINTIFF has suffered
17 substantial losses in earnings, bonuses, deferred compensation,
18 retirement benefits, and other employment benefits and has
19 suffered embarrassment, humiliation and mental anguish all to his
20 damage in an amount according to proof.

21 49. PLAINTIFF is entitled to recover liquidated damages
22 from all DEFENDANTS in an amount according to proof, to the extent
23 permitted by law.

24 50. As a result of DEFENDANTS' harassment and
25 discriminatory acts as alleged herein, PLAINTIFF is entitled to
26 his attorneys' fees and costs of suit as provided by law.

27 WHEREFORE, Plaintiff requests relief as hereinafter
28 provided.

FIFTH CAUSE OF ACTION

(Violation of the Family Medical Leave Act, 29 U.S.C. §2601 et seq.)

51. PLAINTIFF hereby realleges and incorporates by reference herein each and every preceding paragraph of this complaint.

52. PLAINTIFF was at all times material hereto an employee covered by the Family Medical Leave Act, 29 U.S.C. §2601 et seq. ("FMLA") requiring employers to grant leave time to employees for the reason of the employee's or the employee's family members' serious health condition and not to retaliate against employees for using such leave.

53. PLAINTIFF is informed and believes, and thereon alleges, that DEFENDANTS are, and at all times material hereto have been, employers within the meaning of the FMLA. Under the FMLA, it is and was unlawful for DEFENDANTS to adversely treat PLAINTIFF for requesting and taking medical leave for his serious health condition, discriminate against him for such leave, or retaliate against him for such leave or interfere with his right to such leave.

54. DEFENDANTS violated the FMLA by adversely treating PLAINTIFF, because he requested and used medical leave under the FMLA in the manner described above.

55. As a proximate result of DEFENDANTS' violation of PLAINTIFF's rights, PLAINTIFF has suffered and continues to suffer substantial losses in earnings, bonuses, deferred compensation and other employment benefits and has suffered and continues to suffer emotional distress all to his damage in an amount according to

1 proof.

2 56. PLAINTIFF is entitled to recover liquidated damages
3 from DEFENDANTS in an amount according to proof.

4 57. As a result of DEFENDANTS' violations of PLAINTIFF's
5 rights as alleged herein, PLAINTIFF is entitled to his attorneys'
6 fees and costs of said suit as provided by law.

7 **SIXTH CAUSE OF ACTION**

8 **(Retaliation in Violation of Title VII of the Civil Rights act of**
9 **1964, 42 U.S.C. §2000e et seq., and the Americans With**
10 **Disabilities Act, 42 U.S.C. §12101-12213)**

11 58. PLAINTIFF hereby realleges and incorporates by
12 reference herein each and every preceding paragraph of this
13 complaint.

14 59. PLAINTIFF is, and at all material times hereto was, an
15 employee covered by Title VII of the Civil Rights act of 1964, 42
16 U.S.C. §2000e et seq. ("Title VII"), and the Americans With
17 Disabilities Act, 42 U.S.C. §12101-12213 ("ADA"), which prohibit
18 retaliation in employment on the basis of complaints made against
19 unlawful treatment in violation of the Title VII and the ADA.

20 60. Defendants are, and at all times material hereto have
21 been, employers or persons within the meaning of Title VII and the
22 ADA and, as such, are barred from retaliating against employees
23 for complaints of or raising concerns regarding discrimination and
24 harassment of employees as set forth in Title VII and the ADA.

25 61. Defendants retaliated against PLAINTIFF in violation of
26 the FEHA, by engaging in a course of conduct, including but not
27 limited to the acts described above.

28 62. PLAINTIFF timely filed charges of retaliation with the
EEOC. The EEOC has issued right-to-sue letters to him on these

1 charges, permitting PLAINTIFF to bring this action. Therefore,
2 PLAINTIFF has exhausted all of his administrative remedies.

3 63. As a proximate result of Defendants' violation of
4 PLAINTIFF's rights, PLAINTIFF has suffered and continues to suffer
5 substantial losses in earnings, benefits, and other employment
6 benefits and has suffered and continues to suffer emotional
7 distress all to his damage in an amount according to proof.

8 64. Defendants committed the acts alleged herein
9 maliciously, fraudulently and oppressively, with the wrongful
10 intention of injuring PLAINTIFF, from an improper and evil motive
11 amounting to malice, and in conscious disregard of PLAINTIFF's
12 rights. PLAINTIFF is thus entitled to recover punitive damages
13 from all Defendants in an amount according to proof.

14 65. As a result of Defendants' violation of PLAINTIFF's
15 rights as alleged herein, PLAINTIFF is entitled to his attorneys'
16 fees and costs of said suit as provided by law.

17 WHEREFORE, PLAINTIFF requests relief as hereinafter
18 provided.

19 **PRAYER**

20 WHEREFORE, PLAINTIFF requests relief as follows:

21 1. For damages according to proof including loss of
22 earnings, deferred compensation and other employment benefits;

23 2. For compensatory damages for losses resulting from
24 humiliation, mental anguish, harm to reputation and emotional
25 distress according to proof;

26 3. For interest on the amount of losses incurred in
27 earnings, deferred compensation and other employee benefits at the
28 prevailing rates;

1 4. For reinstatement of PLAINTIFF to the position from
2 which he was wrongfully terminated or a comparable position in
3 DEFENDANTS' organization and all benefits attended thereto that
4 would have been afforded PLAINTIFF but for said discrimination;

5 5. That DEFENDANTS, their agents, successors, employees
6 and those acting in concert, be enjoined permanently from engaging
7 in each of the unlawful practices, policies, usages and customs
8 set forth herein;

9 6. For punitive and/or liquidated damages according to
10 proof as allowed by law;

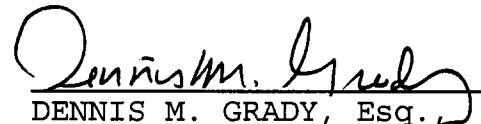
11 7. For costs of suit including plaintiff's attorneys fees;

12 8. For such other and further relief as the Court may deem
13 proper.

14 GRADY AND ASSOCIATES

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17
18 DATED: February 22, 2008

By:


DENNIS M. GRADY, Esq.,

Attorney for Plaintiff

ROBERT RAYFORD

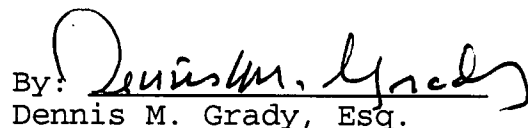
E-mail: gradyfedonly@msn.com

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21 **REQUEST FOR JURY TRIAL**

22
23 PLAINTIFF hereby requests a jury trial.

24
25
26 DATED: February 22, 2008

By:


Dennis M. Grady, Esq.

Attorney for PLAINTIFF,

ROBERT RAYFORD

E-mail: gradyfedonly@msn.com

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

148245 - BH

**February 29, 2008
15:35:58**

Civ Fil Non-Pris

USAO #: 08CV0387 CIVIL FILING

Judge.: ROGER T BENITEZ

Amount.: \$350.00 CK

Check#: BC# 3270

Total-> \$350.00

FROM: RAYFORD V. EDISON INT'L CORP
CIVIL FILING

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Robert Rayford

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

GRADY & ASSOCIATES 3517 Camino Del Rio S. Suite 400
(619) 528-2530 San Diego, CA 925108

DEFENDANTS

Edison International, a corporation, and Southern California Edison Company, a corporation

County of Residence of First Listed Defendant San Diego
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED IN DISTRICT OF CALIFORNIA

Attorneys (If Known)

08 CV 0387 BEN LSP

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 PTF ☐ 1 DEF
Citizen of Another State ☐ 2 PTF ☐ 2 DEF
Citizen or Subject of a Foreign Country ☐ 3 PTF ☐ 3 DEF
Incorporated or Principal Place of Business In This State ☐ 4 PTF ☐ 4 DEF
Incorporated and Principal Place of Business In Another State ☐ 5 PTF ☐ 5 DEF
Foreign Nation ☐ 6 PTF ☐ 6 DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. §2000 et seq.; 42 U.S.C. §12101 et seq.; and other federal statutes

Brief description of cause:
Employment discrimination

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

Feb 22, 2008

FOR OFFICE USE ONLY

RECEIPT # 148245

AMOUNT \$350

APPLYING IFP

JUDGE

MAG. JUDGE

CR